



Department of Toxic Substances Control



Winston H. Hickox
Agency Secretary
California Environmental
Protection Agency

Edwin F. Lowry, Director
5796 Corporate Avenue
Cypress, California 90630

Gray Davis
Governor

NEGATIVE DECLARATION

for

**Comprehensive Environmental Response, Compensation, and Liability Act
Removal Action at Installation Restoration Site 73, Water Tower Area,
Naval Weapons Station (NAVWPNSTA), Seal Beach, California**

State Clearing House Number: 2002087087

Project Proponent:

Naval Weapons Station, Seal Beach
800 Seal Beach Boulevard
Seal Beach, California 90740
Contact: Ms. Pei-Fen Tamashiro
Phone Number: (562) 626-7897

Project Description:

ORIGINAL

The Department of the Navy (DON) proposes to conduct a non-time critical removal action at the subject Site 73, in accordance with requirements of the Comprehensive Environmental Response, Compensation, and Liability Act (CERCLA) and the National Oil and Hazardous Substances Pollution Contingency Plan (NCP), 40 Code of Federal Regulations (CFR) 300.415. The proposed removal action is subject to the requirements of the California Health and Safety Code, Chapter 6.8. Pursuant to the Public Resources Code Section 21067, the Department of Toxic Substances Control (DTSC), as the lead state regulatory agency, is required to comply with the California Environmental Quality Act.

Installation Restoration (IR) Site 73 consists of the area under and surrounding the Station's water tower. Since its construction around 1944, the water tower has been periodically sandblasted and painted. The water tower was last sandblasted and painted in 1994. These activities resulted in the release of sandblasted paint chips to the landscaped area surrounding the water tower.

Based on the findings of the Focused Site Inspection Phase II Report, the DON has determined that significant risk to ecological receptors from metals in soil, primarily lead, exists at IR Site 73. The proposed removal action consists of excavation with off-site disposal, will reduce the risk to ecological receptors. Since Site 73 falls within a known archaeological site, an archaeological monitor and Native American monitor

would be on-site during excavation to monitor for cultural resources. After the excavation, the site will be backfilled with clean imported soil and re-vegetated with sod. It is anticipated that no further action will be required at this site after the implementation of the planned removal action.

The results of the removal action will be documented in a Project Closeout Report. The Project Closeout Report will be presented to the DON, the responsible regulatory agencies, and the Restoration Advisory Board. The estimated duration of activities at Site 73 is three to four months. Field activities are scheduled to begin in October. However, the schedule depends upon timely completion of public comment period and response to public comments.

Project Location:

NAVWPNSTA, Seal Beach consists of approximately 5,000 acres of land along the Pacific Coast within the City of Seal Beach in Orange County, California (Figure 1). NAVWPNSTA Seal Beach is bordered on the southwest by Anaheim Bay, on the north by Interstate 405 (San Diego Freeway), on the east by Bolsa Chica Road, on the west by Seal Beach Boulevard, and on the southeast by a flood control channel. Originally commissioned in 1944, NAVWPNSTA Seal Beach is one of five weapons stations operated by Naval Sea Systems Command that provide fleet combatants with ready-for-use ordnance. NAVWPNSTA Seal Beach serves as a supply point for approximately two-thirds of the operating Navy and Marine Corps forces in the Pacific.

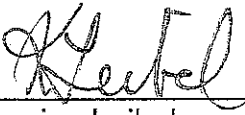
IR Site 73 consists of a 6-acre area under and surrounding the station's tower (Figure 2). It is predominately flat, with a few mounded areas in the immediate vicinity of the water tower. The area is grass-covered and landscaped with scattered trees and shrubs. It is located east of Seal Beach Boulevard, south of the main gate, and west of Building 206.

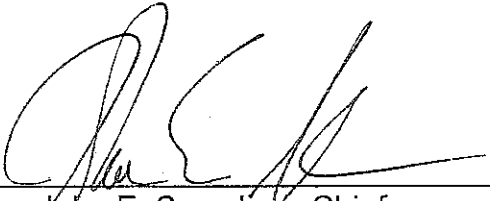
Findings of Significant Effect and Environment:

DTSC has determined that the project will not have a significant effect on the environment as that term is defined in the Public Resources Code Section 21068. A copy of the Draft Special Initial Study to support this finding is attached.

Mitigation Measures:

DTSC has determined that the project does not require any mitigation measures beyond those incorporated as part of the project description.

Signature  Date 10/11/02
Katherine Leibel
Project Manager

Signature  Date 10/11/02
John E. Scandura, Chief
Southern California Branch
Office of Military Facilities

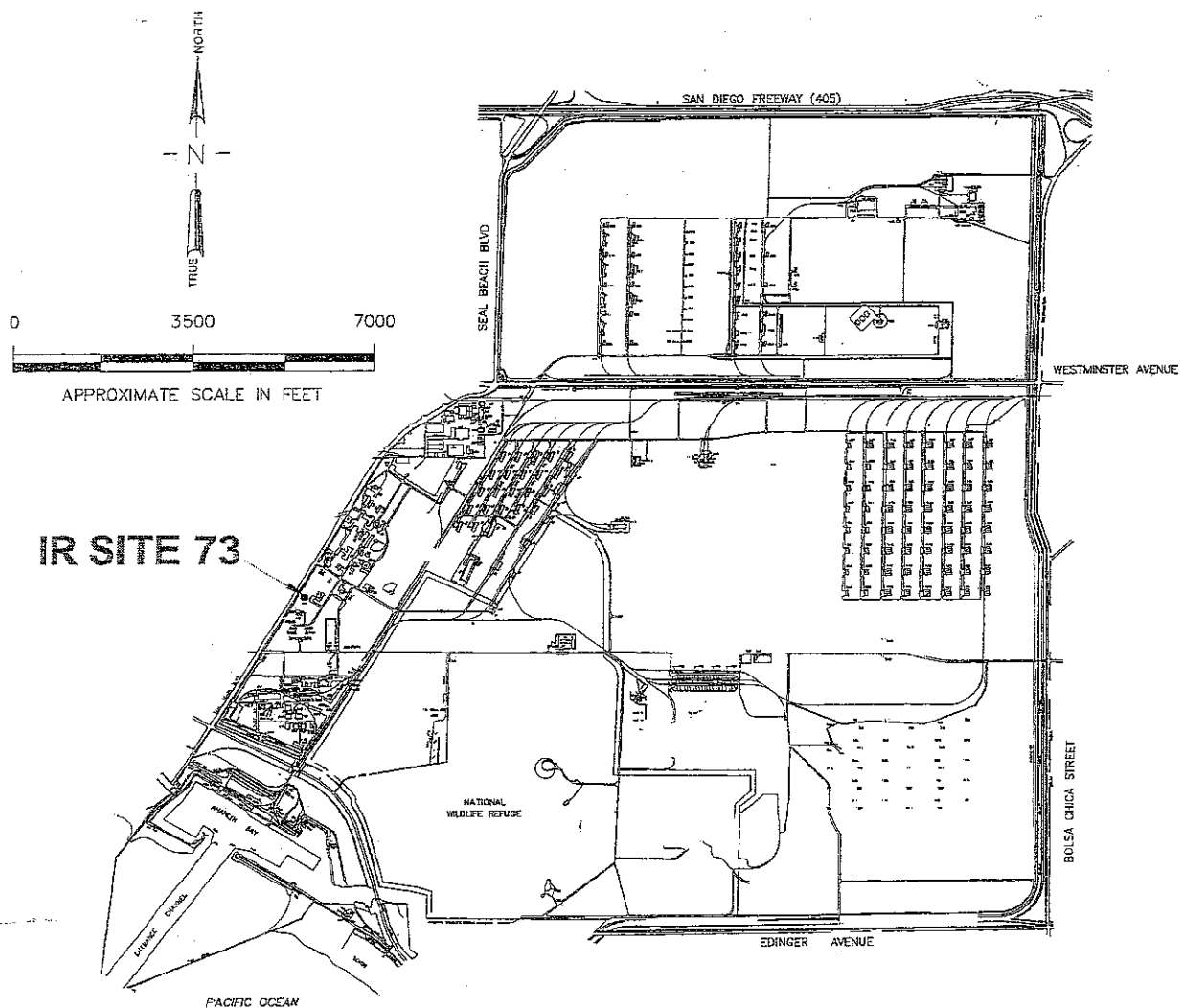


Figure 1
Site Location Map

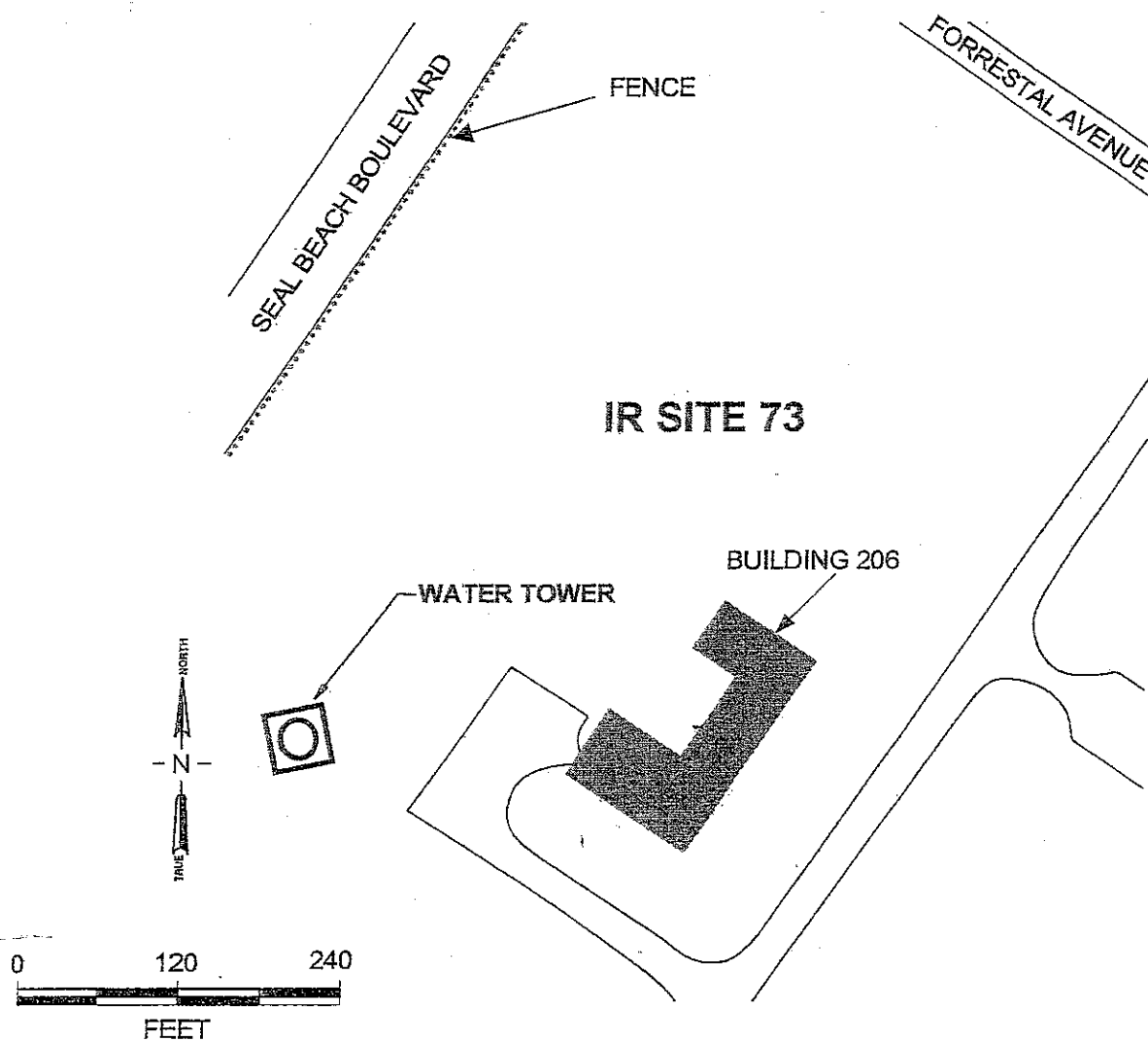


Figure 2
IR Site 73 Base Map



Department of Toxic Substances Control



Winston H. Hickox
Agency Secretary
California Environmental
Protection Agency

Edwin F. Lowry, Director
5796 Corporate Avenue
Cypress, California 90630

Gray Davis
Governor

DEMINIS IMPACT FINDING
for
**Comprehensive Environmental Response, Compensation, and Liability Act
(CERCLA) Removal Action at Installation Restoration Site 73, Water Tower Area,
Naval Weapons Station (NAVWPNSTA), Seal Beach, California**

State Clearing House Number: 2002087087

Project Proponent:

Naval Weapons Station, Seal Beach
800 Seal Beach Boulevard
Seal Beach, California 90740
Contact: Ms. Pei-Fen Tamashiro
Phone Number: (562) 626-7897

Project Description:

The Department of the Navy (DON) proposes to conduct a non-time critical removal action at the Installation Restoration (IR) Program Site 73 in accordance with requirements of the Comprehensive Environmental Response, Compensation, and Liability Act (CERCLA) and the National Oil and Hazardous Substances Pollution Contingency Plan (NCP), 40 Code of Federal Regulations (CFR) 300.415. The proposed removal action is subject to the requirements of the California Health and Safety Code, Chapter 6.8. Pursuant to the Public Resources Code Section 21067, the Department of Toxic Substances Control (DTSC), as the lead state regulatory agency, is required to comply with the California Environmental Quality Act.

IR Site 73 consists of the area under and surrounding the Station's tower. Since its construction around 1944, the water tower has been periodically sandblasted and painted. The water tower was last sandblasted and painted in 1994. These activities resulted in the release of sandblasted paint chips to the landscaped area surrounding the water tower. Based on the findings of the Focused Site Inspection Phase II Report, the DON has determined that significant risk to ecological receptors from metals in soil, primarily lead, exists at IR Site 73. The proposed removal action consists of excavation with off-site disposal, will reduce the risk to ecological receptors. Since Site 73 falls within a known archaeological site, an archaeological monitor and Native American monitor would be on-site during excavation to monitor cultural resources. After the excavation, the site will be backfilled with clean imported soil and re-vegetated with sod.

The energy challenge facing California is real. Every Californian needs to take immediate action to reduce energy consumption. For a list of simple ways you can reduce demand and cut your energy costs see our Web-site at www.dtsc.ca.gov

It is anticipated that no further action will be required at this site after the implementation of the planned removal action.

The results of the removal action will be documented in a Project Closeout Report. The Project Closeout Report will be presented to the DON, the responsible regulatory agencies, and the Restoration Advisory Board. The estimated duration of activities at Site 73 is three to four months. Field activities are scheduled to begin in October, 2002. However, the schedule depends upon timely completion of the public comment period and response to public comments.

Project Location:

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IR Site 73 consists of a 6-acre area under and surrounding the station's tower (Figure 2). It is predominately flat, with a few mounded areas in the immediate vicinity of the water tower. The area is grass-covered and landscaped with scattered trees and shrubs. It is located east of Seal Beach Boulevard, south of the main gate, and west of Building 206.

Special Initial Study Information:

A Special Initial Study has been performed by the Department of Toxic Substances Control (DTSC). The purpose of this study is to evaluate the potential for adverse environmental impact. (A copy of the Special Initial Study is attached)

Declaration of No Evidence of Potential Adverse Effect:

DTSC has determined that the proposed project will not have an adverse effect on wildlife resources or the habitat upon which wildlife depends.

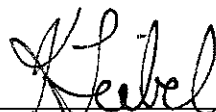
Declaration of Rebutment of Presumption:

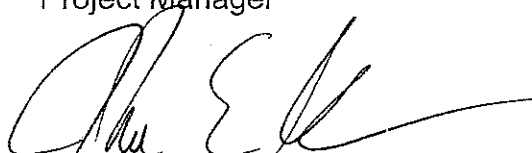
DTSC has, on the basis of substantial evidence, rebutted the presumption of adverse effect contained in Subsection (d) of Section 735.5 of Title 14 of the California Code of

Regulation.

Certification:

DTSC certifies that it, as lead agency, has made the above findings of fact and that based on the initial study and upon the record, the project will not individually or cumulatively have an adverse effect on wildlife resources, as defined in Section 711.2 of the Fish and Game Code. Signatures verifying this certification is attached.

Signature  Date 10/11/02
Katherine Leibel
Project Manager

Signature  Date 10/11/02
John E. Scandura, Chief
Southern California Branch
Office of Military Facilities

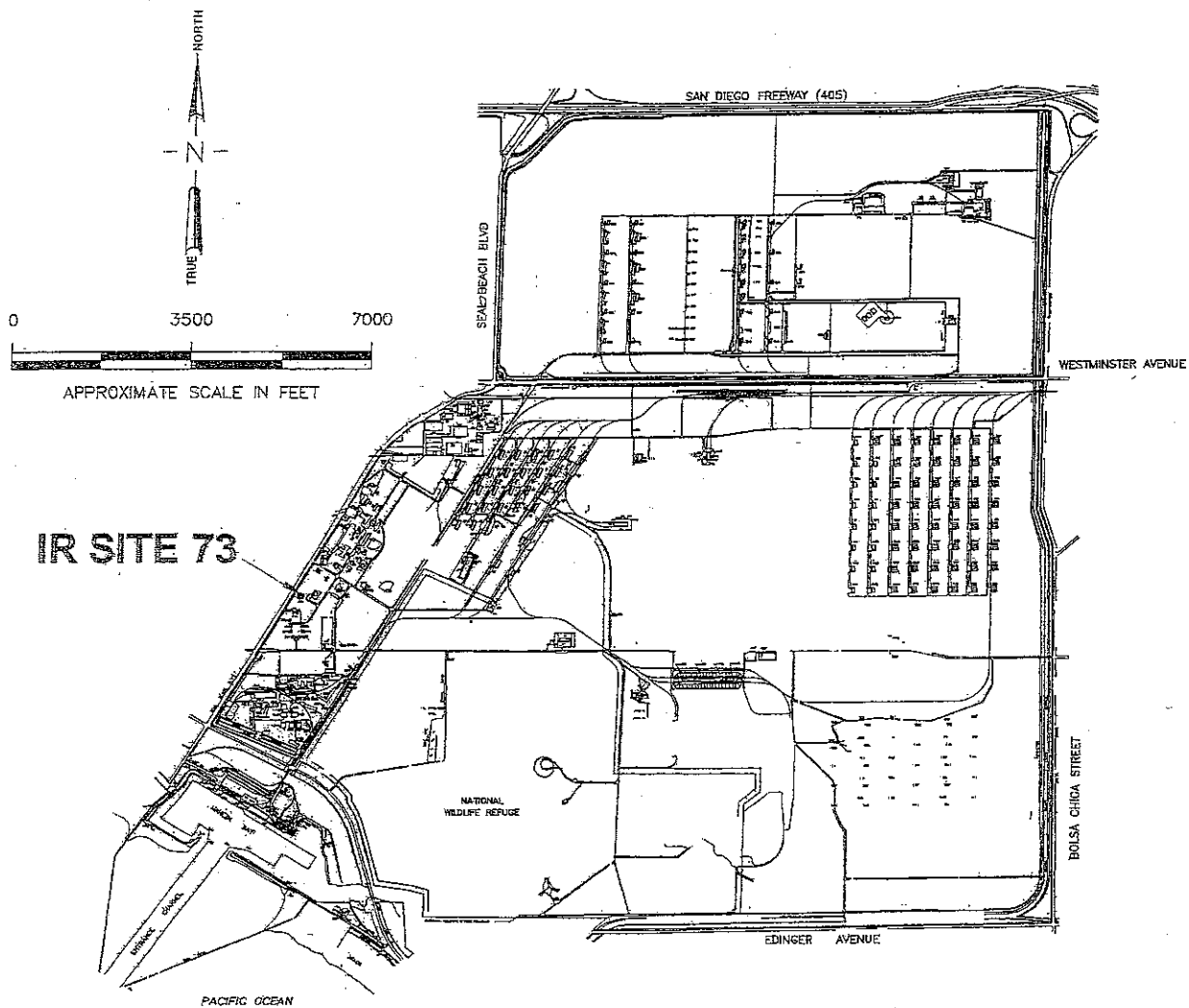


Figure 1
Site Location Map

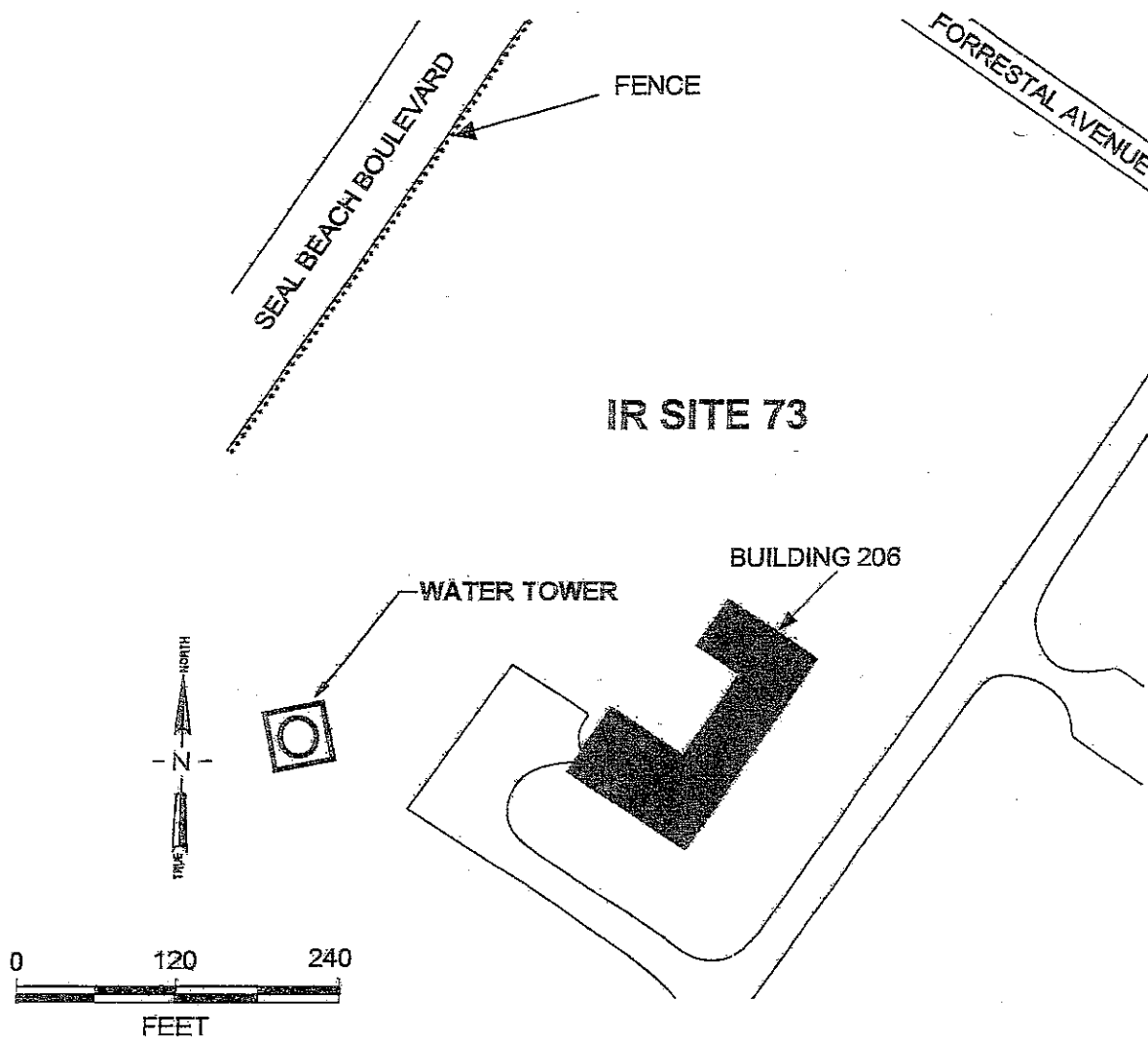


Figure 2
IR Site 73 Base Map

CALIFORNIA ENVIRONMENTAL QUALITY ACT

NOTICE OF DETERMINATION

To: Office of Planning and Research
P.O. Box 3044
Sacramento, CA 95812-3044

From: Department of Toxic Substances Control
Office of Environmental Analysis, Regulations & Audits
1001 I Street, 22nd Floor
P.O. Box 806
Sacramento, CA 95812-0806

Subject: Filing of Notice of Determination in compliance with Public Resources Code,
Division 13, Section 21108 or 21152

Project Title: Removal Action at Site 73, Naval Weapons Station, Seal Beach, California

State Clearinghouse Number: 2002087087

Contact Person and Telephone: Ms Katherine Leibel

Project Location (include County): Naval Weapons Station, Seal Beach, Orange County

Project Description: The proposed removal action includes the excavation, removal, and off-site disposal of approximately 400 cubic yards of lead-impacted soil.

This is to advise that the Department of Toxic Substances Control (DTSC), as [x] Lead Agency [] Responsible Agency, has approved the above described project on October 10, 2002 and has made the following determinations regarding the above-described project:

- The project () will (x) will not have a significant effect on the environment.
- [] An Environmental Impact Report [x] A Negative Declaration was prepared for this project pursuant to the provisions of CEQA.
- Mitigation measures () were (x) were not made a condition of approval of the project.
- A Statement of Overriding Considerations () was (x) was not adopted for this project.

This is to certify that the final environmental document with comments and responses and record of project approval is available to the public at: DTSC Cypress Office at 5796 Corporate Avenue, Cypress

DTSC Branch/ Unit Chief Signature

Title

Telephone #

Date

Date Received for Filing and Posting at OPR: _____

CALIFORNIA ENVIRONMENTAL QUALITY ACT

NEGATIVE DECLARATION APPROVAL

Project Title: Removal Action at Site 73, Naval Weapons Station, Seal Beach, California

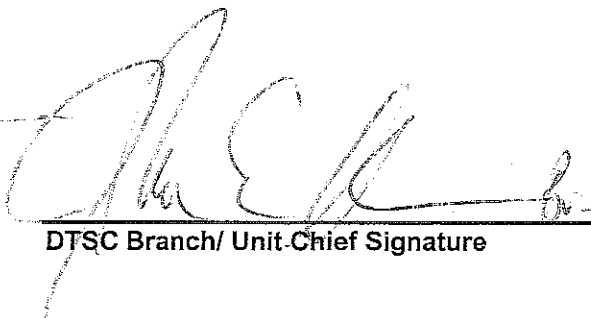
State Clearinghouse Number: 2002087087

Contact Person and Telephone: Ms Katherine Leibel, (714) 484-5446

Project Location (include County): Naval Weapons Station, Seal Beach, Orange County

Project Description: The proposed removal action includes excavation, removal, and disposal of approximately 400 cubic yards of lead-impacted soil with off-site disposal.

The Department of Toxic Substances Control has found, on the basis of the Initial Study and comments received on the Negative Declaration, that there is no substantial evidence that this project will have a significant effect on the environment.


DTSC Branch/ Unit Chief Signature

br - Chief
Title

(714) 484-5446
Telephone #

10/16/02
Date

CALIFORNIA ENVIRONMENTAL QUALITY ACT
NOTICE OF DETERMINATION
CERTIFICATE OF FEE EXEMPTION

To: Office of Planning and Research
P O. Box 3044
Sacramento, CA 95812-3044

From: Department of Toxic Substances Control
Office of Environmental Analysis, Regulations & Audits
1001 I Street, 22nd Floor
P.O. Box 806
Sacramento, CA 95812-0806

Project Title: Removal Action at Site 73, Naval Weapons Station, Seal Beach, California

State Clearinghouse Number: 2002087087

Contact Person and Telephone: Ms. Katherine Leibel, (714) 484-5446

Project Location (include County): Naval Weapons Station, Seal Beach, Orange County, California

Project Description: The proposed removal action includes the excavation, removal, and off-site disposal of approximately 400 cubic yards of lead-impacted soil.

Date project Approved: October 10, 2002

The attached Notice of Determination is filed in compliance with Public Resources Code, Division 13, Section 21108. The Department of Toxic Substances Control (DTSC), as Lead Agency, has approved the above described project and attached Negative Declaration and has certified the attached De Minimis Impact Finding. DTSC has made the finding that the project will not have a significant effect on the environment. The attached De Minimis Impact Finding was prepared pursuant to Section 711.4 of the California Fish and Game Code, and Section 753.5 of Title 14, California Code of Regulations.


DTSC Branch/ Unit Chief Signature


Title

(714) 484-5456
Telephone #

10/11/02
Date

Date Received for Filing and Posting at OPR: _____

CALIFORNIA ENVIRONMENTAL QUALITY ACT

NOTICE OF DETERMINATION FILING CHECKLIST

This checklist outlines all the required contents of the Notice of Determination (NOD) pursuant to the California Environmental Quality Act (CEQA) and all required information for filing and payment of filing fees through the Office of Environmental Analysis, Regulations and Audits (OEARA) - CEQA Tracking Center (CTC). For further information regarding NODs, Initial Studies, Negative Declarations, Environmental Impact Reports, Findings of De Minimis, and Certificates of Fee Exemption, contact OEARA at (916) 322-8162 or CALNET 492-8162.

INSTRUCTIONS:

- ☐ Review your NOD to assure it contains items 1 through 10
- ☐ If you are also filing a Finding of De Minimis, use the combined Notice of Determination/Certificate of Fee Exemption form available from PEAS. Do not attempt to file a Finding of De Minimis unless you have consulted PEAS while conducting your Initial Study, and have documented your analysis of De Minimis conditions in the Initial Study checklist.
- ☐ Fill in information requested in items 1, 3, 4, and 11 through 15.
- ☐ Send this form along with items 16 through 21 to:

OEARA
CEQA Tracking Center
P.O. Box 806
Sacramento, CA 95812-0806

CONTENTS OF AN NOD:

1. **Identification of the project including the common name, if any. Please also write the name of the project here.**
Site 73, Water Tower Area, Naval Weapons Station, Seal Beach
2. **Signature of the Director, Deputy Director, or Branch Chief.** NODs for regulations should have the signature of the Director or one who is designated by the Director to approve regulations.
3. **State Clearinghouse Number.** The State Clearinghouse number is assigned by the Governor's Office of Planning and Research (OPR) State Clearinghouse when fifteen (15) copies of a proposed Negative Declaration or draft Environmental Impact Report are sent to them for responsible agency review. If you cannot locate this number, call the State Clearinghouse at (916) 445-0613, CALNET 485-0613. **Write the State Clearinghouse number here, and include the number in the NOD.**
SCH#2002087087
4. **Date on which the Director, Deputy Director, or Branch Chief approved the project,** i.e., the date the permit, variance, Remedial Action Plan, Record of Decision, Standard 400 form (STD 400), etc., was signed by the Department. **Write the date here and include the date in the NOD.** October 10, 2002 **Site Mitigation** - If both a Remedial Action Plan and a Record of Decision were approved, list both dates here, but only include the Remedial Action Plan date in the NOD.

5. **Location of the project.**
Naval Weapons Station, Seal Beach, Orange County
6. **Brief description of the project.**
Removal action at Site 73, Water Tower Area. The removal action includes the excavation, removal, and off-site disposal of approximately 400 cubic yards of lead-impacted soil.
7. **Determination that the project will or will not have a "significant effect on the environment"** as that term is used in Section 15382 of Title 14 of the California Code of Regulations.
8. **Indication if either an EIR or a Negative Declaration has been prepared.**
Negative Declaration
9. **Address where the EIR or Negative Declaration may be examined.**
DTSC Cypress office at 5796 Corporate Avenue, Cypress
10. **If a determination was made that the project will have a significant effect on the environment, include in the NOD a statement of overriding consideration or a reference to where in the record the statement of overriding considerations is found. If the project will not have a significant effect, write "NA" next to the number 10 in this paragraph. Refer to Sections 15091, 15092, and 15093 of Title 14 of California Code of Regulations.**

OTHER INFORMATION NEEDED FOR FILING OF NOD AND PAYMENT OF FEES:

11. **Administrative Appeal Period**

Directions for Permits: If there is no likelihood of an administrative permit appeal based on substantive comments received on the environmental concerns with the project, then enter N/A. If you enter a date here, the NOD will be held and will not be filed until after that date.

If there is a likely appeal, DTSC should not file the Notice of Determination until after the appeal is completed. **Enter the end date of the window for the filing of permit appeals in such cases.** This is normally 30 days after the permit was approved.

The CEQA Tracking Center will contact you on that date regarding any appeals before filing the NOD. If an appeal has been filed and resolved, enter the date it was resolved below

Enter End Date of Administrative Appeal Filing Period, if Applicable:

Directions for Regulations: Indicate the date that the Governor's Office of Administrative Law sent the regulation to the Secretary of State. If you are submitting this form before that date, leave the item blank. The CEQA Tracking Center will hold the NOD and will not file it until it receives word that the regulations were received by the Secretary of State.

Enter End Date of Administrative Appeal Filing Period, if Applicable:

Directions for Site Mitigation projects: Leave this item blank. It is not applicable to your project.

12. **Index Number** (from time sheet). 5830
13. **PCA number** (from time sheet). 14740
14. **Site number and WP** (from time sheet). 400136-47
15. **Contact Information:**

Lead staff person Katherine Leibel

Telephone of lead staff person (714) 979-9401

E-mail Address of lead staff person kleibel@dtsc.ca.gov

Region of lead staff person Southern California

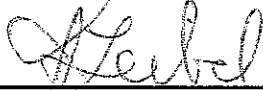
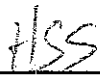

Lead staff person's supervisor Shelia Lowe

Supervisor's telephone (714) 484-5446

Supervisor's E-mail Address slowe@dtsc.ca.gov

DOCUMENTS TO SEND TO THE OEARA:

16. **The signed original NOD, or the signed original NOD/Certificate of Fee exemption form.** The NOD must contain all the elements outlined in Numbers 1 through 10 above. If exemption from NOD filing fees is being sought, use the combined Notice of Determination/ Certificate of Fee Exemption form available from OEARA, instead of a standard NOD. Do not attempt to file a Certificate of Fee Exemption or Finding of De Minimis unless you have documented your analysis of De Minimis conditions in the Initial Study checklist and have consulted OEARA before the responsible agency and public review periods.
17. **One copy of #16 above.**
18. **One copy of the formal record declaring that the Department has approved the Negative Declaration or the Environmental Impact Report.** OEARA has a form that may be signed by a branch chief and used as the formal record.
19. **One copy of the approved final version of the Negative Declaration and Initial Study, or the approved final version of the Environmental Impact Report.**
20. **A Finding of De Minimis, if a Certificate of Fee Exemption is being filed.**
21. **A copy of number 20 above**

		<u>714-484-5446</u>	<u>10/10/02</u>
DTSC Project Manager Signature	Title	Telephone #	Date
	<u>Br. Chief</u>	<u>(714) 484-5446</u>	<u>10/11/02</u>
DTSC Branch/ Unit Chief Signature	Title	Telephone #	Date